

**TOWN COUNCIL MINUTES**  
**REGULAR MEETING**  
**WEDNESDAY, NOVEMBER 28, 2001**

The meeting was called to order at 6:30pm.

**PRESENT:** Chairman T. Young, D. Pichette-Volk present at 7:25pm, P. Rueppel, M. DiBitetto, R. Holley, M. Jolin, P. Ganley, D. Duford, M. Farrell-Town Administrator. Excused: R. Dion.

**MINUTES:** October 24, 2001. R. Holley moved to remove from the table. Seconded by M. DiBitetto. **Roll call vote carried unanimously.** T. Young abstained.

D. Duford moved to work on revised version, substitute revised minutes of October 24<sup>th</sup>, 2001. Seconded by M. Jolin. **Motion carried unanimously.**

**MINUTES:** November 14, 2001. M. Jolin moved to approve the minutes as amended. Seconded by R. Holley. **Roll call vote carried unanimously.** P. Ganley abstained.

**TOWN ADMINISTRATOR'S REPORT:** M. Farrell reported on the following items:

1. M. Farrell has researched an electronic filing system and the bids for this are from Professional Image Filing Technologies, Inc. (PIFT) at a cost of \$22,879 and from Innovative Imaging at a cost of \$41,265. The system should be capable of scanning documents into a computer, archival and retrieval. One advantage of the PIFT system is that it operates on a separate server therefore leaving space availability on our current system. Would like to have Council waive the 5-day notification of bids, and also waive obtaining 3 bids. A third bid was sought but there has not been a timely response. PIFT has offered us a savings/incentive package of \$3,000.

P. Ganley moved to waive the three-bid requirement for a purchase. Seconded by R. Holley.

**Roll call vote.**

P. Ganley	yes	R. Holley	yes
D. Duford	no	M. Jolin	no
P. Rueppel	no	T. Young	yes
M. DiBitetto	yes		<b><u>Motion carried.</u></b>

P. Ganley moved to waive the rules of the five-day advance notice for purchases to allow Council to vote on the bid request.

**Roll call vote.**

D. Duford	no	M. Jolin	no
P. Rueppel	no	P. Ganley	yes
M. DiBitetto	yes	T. Young	yes
R. Holley	yes		<b><u>Motion carried.</u></b>

P. Ganley moved to accept the bid from Professional Image Filing Technologies, Inc., for an electronic filing system known as the DocSTAR System in the amount of \$22,879.

**Roll call vote.**

P. Rueppel	no	P. Ganley	yes
M. DiBitetto	yes	D. Duford	yes
R. Holley	yes	T. Young	yes
M. Jolin	yes		<b><u>Motion carried.</u></b>

2. Impact Fee updates \$229,074 of assessed impact fee. As of the October 31<sup>st</sup> \$82,896 has been collected \$146,178 are outstanding.
3. ATV Club asked to meet with Council next month.
4. Rich Tichko, of NH Fish & Game, has been contacted on plans, no response yet.

5. Will meet with Assessing Dept about the MRI findings and will report back at the next meeting.
6. Analysis of purchasing procedures are in progress, requests for information from departments heads and will report back at the next meeting.
7. Exit 10 development agreement process is still in progress. Conference call with B. Mayer and the developer's attorney's is scheduled for the end of this week.
8. Budget development is progressing.
9. Route 3 traffic situation - C. Watson and M. Farrell will meet with an engineering firm this Friday, they will be proposing some ideas on traffic mitigation.
10. Connector Road – Bart Mayer, legal counsel, is working on an extension agreement with Cigna.
11. Still trying to contact Jeff Kavan from T.F. Moran in reference Boring Data to finalize price of construction
12. Contacted a new company for Internet access and they will be presenting a proposal soon.
13. Gary Sleeper has indicated that there has been no change in a satellite connection.

D. Pichette-Volk present at 7:25pm.

**NEW BUSINESS:**

**FIRE TRUCK – QUINT BID (Continued).**

M. Farrell stated that the intent of the Warrant Article, followed up by documentation in the CIP Committee specifically stated it would be a purchase of a new fire truck. He believes that the intent of the warrant was for the purpose of a new vehicle purchase. He suggested getting a ruling from DRA as to whether or not buying used would be a legal purchase.

M. DiBitetto stated that he was asked to get some documentation on a used truck, which he handed out, to get a sense of what this type of equipment and cost might be. In defense of DRA this is a brand new truck with a re-manufactured Quint Aerial. He pointed out many items on the Quint and stated that hundreds of thousands of dollars could be saved.

M. DiBitetto requested we investigate this item through Administration.

D. Duford read the Article Eight, of the Annual Town Meeting Session 1 dated April 13, 2001, and he stated doesn't indicate that the truck must be brand new.

R. Holley stated that he has some concerns with American LaFrance where there seems to be various problems in our state and another state.

Chief Howard stated almost a year ago this same situation occurred during the Budget Committee's Deliberative Sessions. He had reviewed the same specs and provided enormous amount of facts. The Aerial would be 13 –15 years old with no idea where the ladder would come from and would be reconditioned. The specs indicate that the major structure portions of the Aerial latter have been disassembled, reassembled, and painted. The truck will be doing 1000 – 1500 runs per year. The price shown is no comparison to the 125 page specification, seven-member, two years research that went out.

We have been able to reduce the price from \$130,445 to \$129,835, which is a reduction of \$610 per year, a total saving of \$2975.51, which is below the Warrant Article dollars of \$132,810.51. The interest rate has dropped down to 4.099%

R. Holley stated he has some concerns with a used Aerial, such as - has the Aerial been liquid penetrant tested, any kind of non-destructive testing. Steel is going to move, it will change it's molecular composition. His concern is that this is reconditioned, not new, and someone being on top of the ladder and having a failure.

Chairman Young stated that it has been his experience with over 500 aerial lifts in his fleet, though they are not ladder trucks, that they have a policy that after six or seven years the chassis is replaced and refurbish and reinstall the aerial lifts. This may be done three times. The third time the unit is reviewed very closely, but we are talking at 20 years at the most. Thus, he has a concern that if we have this unit for 15 – 20 years this will be a 30-year ladder & pump set up, it may fail in certain areas, and I do have a concern on it.

D. Pichette-Volk has been on the budget committee for seven years and when this information, on a used Aerial Ladder, was presented at last budget sessions I felt then, as I do now, that we need a new core piece of equipment.

D.Pichette-Volk thanked the Firefighters for all their efforts and time spent on moving forward with obtaining all the information for bids on the Quint Aerial Ladder Fire Truck. She thanked them for being here tonight, it certainly was nice to thank them in person.

Rick Holley moved to accept the Pierce Aerial Quint Ladder in the total amount of \$129,835 for a five-year lease total to be financed \$581,995. Seconded by P. Ganley

M. DiBitetto will not vote till they know if they can save \$200,000 and get the truck that they want.

R. Holley disagrees with the aerial part of the truck that M. DiBitetto is referencing as the ladder would be 14-15 years old and with high heat he has a concern on the tensile strength.

D. Duford amended the motion to postpone the vote till American LaFrance has been contacted with questions and receive a response from them.

**Roll call vote on amendment:**

P. Rueppel	yes	P. Ganley	yes
M. DiBitetto	yes	D. Duford	yes
R. Holley	no	D. Pichette-Volk	no
M. Jolin	no	T. Young	no

**Motion failed 4 to 4.**

Chief Howard stated that an Aerial Ladder has a 20 year life expectancy, if we buy a 12-15 year old ladder, would have a remainder of 5-7 years worth of service time, then a new ladder would need to be purchased.

The first payment of \$129,835 would not be made until acceptance at delivery, which is approximately 300 days. The buy-out is \$1.00 with no penalty if it is bought out early this was agreed to by all four bidders.

M. Farrell stated the difference between these four vehicles and what you would save the taxpayer is one cent per \$1000 per year. The spread between the Pierce and Central States is \$8,022 per year. When you calculate the impact of that on the tax rate it's .0108 cents.

**Roll call vote on the motion to accept Pierce Bid.**

M. DiBitetto	no	D. Duford	no
R. Holley	yes	D. Pichette-Volk	yes
M. Jolin	no	P. Rueppel	no
P. Ganley	yes	T. Young	no

**Motion failed 3 to 5.**

M. DiBitetto moved to postpone any vote on the purchase of a Quint Truck until the next meeting. Seconded by P. Rueppel.

M. Jolin stated that for the next meeting he would like an update from the committee that reviewed these proposals and if the feeling is that we are not happy with the Pierce can they provide us with more justification or can they provide us with their 2<sup>nd</sup> choice of a Quint Truck out of those other three bids.

D. Pichette-Volk asked is there a time frame on the bids, is the clock ticking.

Chief Howard stated that if you do not sign a contract by Jan 1, 2001 it would have to go back out to bid. The committee is not going to spend any more time, we've done our work, we spent over 24 months and our presentation is in front of you.

M. Jolin stated that he would like to clarify his statement by saying, that he would like to see additional information which would help the Councilor's who don't want to go this way lean toward another decision. Give us something else to back-up that this company is superior over the other three.

Chief Howard stated that he has given you ranking order of first to last choice, again, they have spent hundreds of hours, there is nothing else that they can do that he feels will change your minds. He has presented the information they have. The 125-page spec should show that they are very clear that they did their homework before they went out to bid.

P. Rueppel stated "that she doesn't want to hear that you, Chief Howard, are not going to do any more work. This town has not ever had a Quint or a ladder truck and you are going to get it this year. She feels that possibly, probably and maybe if we would like to be a little bit frugal and as she told you last year during the budget that her job is to protect the pockets of the tax payer and your job is that when she gives give you a dollar you get two dollars worth of service out of it. So to come back and say we're not going to do any more work, the suggestion she would like to make – you have the specs all made up, send them out to the other five companies that didn't bid and have them come back and then we have ten bids."

**Roll call vote on motion to postpone any vote.**

R. Holley	no	D. Pichette-Volk	no
M. Jolin	yes	P. Rueppel	yes
P. Ganley	no	M. DiBitetto	yes
D. Duford	yes	T. Young	no

**Motioned failed 4 to 4.**

D. Duford moved to table the discussion until the next meeting. Seconded by P. Rueppel.

**Roll call vote:**

M. Jolin	yes	P. Rueppel	yes
P. Ganley	no	M. DiBitetto	yes
D. Duford	yes	T. Young	yes
D. Pichette-Volk	yes	R. Holley	no

**Motion passed 6 to 2.**

**NOMINATIONS/APPOINTMENTS:**

P. Rueppel asked if anyone had received a letter from Kim Sopol about taking the Alternate position on the Conservation Commission?

There was no response in the affirmative.

**Positions available:**

Building Board of Appeals, Fill-in, 6/2003, (Structural Engineer or Architect).

Building Board of Appeals, Alternate, 6/2006.

Charter Review Committee – 5 positions open

Conservation Commission, Alternate Fill-in, 6/2003.

Heritage Commission, Fill-in, 6/2004.

Planning Board, Alternate, Fill-in, 6/2003

Solid Waste, Alternate Fill-in, 6/2004.

ZBA, Alternate Fill-in, 6/2004.

ZBA, Alternate, Fill-in, 6/2003.

Anyone interested in one of the vacant positions may contact Administration at 485-8472.

ADMINISTRATIVE CODE: P. Ganley reported that a synopsis was submitted, getting ready to present summary to Town Council at next Council meeting.

T. Young stated that the Administrative Code Committee members should come in a half hour before the Council's meeting to review the last minutes.

BOARD OF ASSESSORS: P. Rueppel stated the next meeting is December 4<sup>th</sup> at 6:30pm.

BUDGET COMMITTEE: M. DiBitetto reported that their next meeting is Thursday and will be deliberating school issues.

CHARTER REVIEW: T. Young reported that one of the recommendations, last year after the census, was to possibly review and revisit redistricting from a population shift standpoint and review the number of Councilors.

M. Farrell stated this should be done no later than two years from official publication of the census, which should be out in 2002.

M. DiBitetto moved to reactivate the Charter Review Committee. Second by D. Duford. **Roll call vote carried unanimously.**

Chairman Young stated to add to the Nominations and Appointments list a five member Charter Review Committee.

CONSERVATION COMMISSION: P. Rueppel reported that Alex Vailas suggested, that on Route 3 from behind Dunkin 'n Donuts all the way up to 99 Restaurant, building a supermarket and leaving the existing traffic light.

COUNCIL NEWSLETTER: D. Pichette-Volk reported that she has one article to write then it will be completed and will present it to the Council for review at the next meeting.

EMERGENCY MEDICAL SERVICES ADVISORY COMMITTEE: M. DiBitetto stated that there was a preliminary meeting this afternoon to hand out all the information on the Ambulance Subcommittee's report as well as M. Farrell's analysis on the fiscal issues related to the report. Next meeting tentatively set up for December 4, 2001, at 7pm at Hooksett Public Library.

EMPLOYEE RECOGNITION: T. Young reported that Southern N.H. University is the location for February 2, 2002.

PARKS & RECREATION: M. Jolin reported D. Hemeon, Parks & Recreation Director, advised that the proposed skateboard park has been paved. D. Hemeon is looking to form a new committee to get the rest of the park completed. Soccer fields at Peter's Brook are all graded and loamed and D. Hemeon said they are starting to install the sprinkler systems and should be all set to lay sod in Spring 2002. A petition was received from the neighbors in the Donati Park area about the noise level of the P.A. system, during football games, starting too early in the morning or ending too late at night during this past fall. The HYAA will be contacted and advised not to use the P.A. system before 9 am on Sunday mornings. Soccer fields off of Route 3A have been seeded, layed out through the HYAA and will be ready for use in Spring 2002.

PERABMULATION: D. Pichette-Volk reported that there would be a walk with Allentown on Saturday, December 1<sup>st</sup>. There will be a walk with Candia on December 8<sup>th</sup>. There was a preliminary walk and drive around the Manchester monuments on November 24. Last time the Manchester walk was done was in 1991. The monuments, certified to be there, were not locatable during our walk this past November.

PLANNING BOARD & CIP: P. Ganley reported that two site plans were brought up for completion and approved for discussion on December 3, 2001. Exit 10 - TIF District developments only two of the five have come before the Planning Board.

POLICE COMMISSION: M. DiBitto reported that two new officers were hired in October 2001. They are advertising for the four vacancies for a Sergeant, two Detectives and a Patrolman. The communications is currently being renovated in preparation for the new console with expectation to be on line in January 2002. Commission voted to send Gary Sleeper to Illinois, for a one-week training, in January, for programming and maintenance of the new console unit. The budget has been submitted to Administration for review. Spending for the department is under budget. Wages are slightly over due to extraordinary activity.

SEWER DEPARTMENT: P. Rueppel reported that the River is washing away and Dennis Morrisette has a new product. They brought in an engineer, and they are building up the hill by his house. Last meeting Dennis Morrisette was concerned about an odor due to buffer removal, he came in with an engineer, they called area residents in the vicinity of the compost pile and he was very satisfied, he spoke with his committee and they will not have any problems with composting over there. Lou Carron went to Merrimack to check it out and they did a good job.

SOLID WASTE: D. Duford reported that at the last meeting they discussed the Pay-as-You-Throw and look forward to presenting it to the Council in the near future.

Chairman Young stated that during a perambulation walk it became apparent that some of the non maintained roads are being used as dumping sites with cars, refrigerators, shingles, construction debris. He asked has Solid Waste been looking at that and the ramification on the rest of the Town.

D. Duford stated that the reason the town has not charged a fee for these types of items was to avoid this type of dumping. As soon as you start charging for this, you know the dumping is going to happen. If someone is found doing this dumping they should be fined and it should be publicized.

M. DiBitto asked if there is anything the Council can do to have the Police Department put an effort toward enforcement for a month or two.

Council consensus was to have M. DiBitto bring the littering issue to the Police Department for enforcement for a month or two.

M. DiBitto would like to amend the Council's request that they ask the Police Department to start looking at sign postings such as no littering fines \$250. He has looked up some of the RSA's on littering and will submit them to M. Farrell for his review for a discussion so that M. DiBitto will have a clearer understand on what is to be presented to the Police Commission.

SOUTHERN NH PLANNING: M. Jolin stated the last meeting was about affordable housing in the area. Their speaker was from Neighborhood housing. The vacancy rate in the Manchester and the surrounding areas is 1% and that's actually no vacancy it's turnover. Affordable housing is defined as income of around \$35,000 - \$40,000, includes policeman and teachers who cannot afford apartments rents. Discussion was for planning boards to have some sort of methods of encouraging affordable housing. There are not enough homes being built in the affordable range for people to move from apartments into houses so you get a domino effect.

UNION NEGOTIATIONS: T. Young reported that negotiations are still in progress with just a couple of more meetings before the end of the year. Next meeting is December 4<sup>th</sup>, 2001.

M. Farrell stated that our Union Negotiator, Renny Perry, Esq., has fully relocated to Vermont. His last day was November 21, 2001. As we are in a critical position right now, we have asked that Sheehan, Phinny, Bass & Green's replacement attorney stay on with us through the negotiations. He is a very experienced labor lawyer with 25 years of labor law. His hourly fees are slightly higher but not at full lawyer rate.

P. Rueppel moved adjourn. Seconded by D. Duford. Motion carried unanimously.

Meeting adjourned at 9:30pm.

Respectfully submitted,

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Tina M. Paquette  
Administrative Assistant

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Michel N. Jolin  
Town Council Secretary